

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Roger Webb, on February 17, 2015 at 3:00 PM, in Room 317
Capitol

ROLL CALL

Members Present:

Sen. Roger Webb, Chair (R)
Sen. Duane Ankney, Vice Chair (R)
Sen. Mark Blasdel (R)
Sen. Pat Connell (R)
Sen. Robyn Driscoll (D)
Sen. Douglas (Doug) Kary (R)
Sen. Jim Keane (D)
Sen. Bob Keenan (R) (arrived after roll call)
Sen. Cliff Larsen (D)
Sen. Mary McNally (D)
Sen. Bruce Tutvedt (R) (arrived after roll call)
Sen. Jonathan Windy Boy (D) (arrived after roll call)

Members Excused: Sen. Llew Jones (R)

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Barbara Pietuch, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 305, 2/12/2015; SB 312, 2/12/2015; SJ 12, 2/12/2015,
SB 327 2/12/2015

Executive Action: SB 327 DO PASS; SJ 12 DO PASS AS AMENDED

00:00:19 Chairman Webb

HEARING ON SB 327

Opening Statement by Sponsor:

00:01:50 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 327, Revise qualifying facility laws.

Proponents' Testimony:

00:03:36 John Fitzpatrick, Northwestern Energy

00:04:12 Sen. Windy Boy entered the hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:06:32 Sen. Blasdel

00:07:03 Sen. Keenan entered the hearing.

00:07:10 Sen. Windy Boy left the hearing.

HEARING ON SB 305

Opening Statement by Sponsor:

00:07:30 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SB 305, Revise renewable energy laws.

Proponents' Testimony:

00:09:25 John Fitzpatrick, Northwestern Energy (NWE)
[EXHIBIT\(ens36a01\)](#)

Opponents' Testimony:

00:17:48 Tom Hopgood, New Colony Wind (NCW)
[EXHIBIT\(ens36a02\)](#)

00:21:33 Peter Wipf, Martinsdale Colony

00:23:13 Steve Tyrrel, Montana Wind Resources (MWR)

00:26:23 Jeff Fox, Montana policy manager, Renewable Northwest Project (RNP)

00:27:19 Sen. Keenan left the hearing.

00:30:57 Garrett Martin, senior energy analyst, Department of Environmental Quality (DEQ)

00:33:01 Kyla Maki, clean energy program director, Montana Environmental Information Center

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:58 Sen. Keane

00:35:23 Mr. Tyrrel, MWR

00:36:22 Sen. Keane

00:36:45 Mr. Tyrrel

00:37:24 Sen. Keane

00:37:42 Mr. Tyrrel

00:37:56 Sen. Keane

00:38:13 Mr. Tyrrel

00:38:44 Sen. Larsen

00:39:07 Mr. Hopgood, NCW

00:39:13 Sen. Larsen

00:39:35 Mr. Hopgood

00:40:47 Sen. Larsen

00:41:18 Sen. Kary

00:41:29 Sen. Ankney

00:42:28 Mr. Fitzpatrick, NWE

00:42:34 Sen. Ankney

00:42:38 Mr. Fitzpatrick

00:45:12 Sen. Ankney

00:45:24 Mr. Fitzpatrick

00:46:04 Sen. McNally

00:46:40 Mr. Fitzpatrick

00:47:22 Sen. McNally

00:47:44 Mr. Hopgood

00:48:20 Chairman Webb

00:48:30 Mr. Hopgood

00:48:46 Chairman Webb

00:48:50 Sen. Keane

00:49:12 Mr. Hopgood

00:50:12 Sen. Keane

00:50:19 Sen. Connell

00:51:15 Mr. Hopgood

00:52:23 Chairman Webb

00:52:27 Sen. McNally

00:52:50 Mr. Hopgood

Closing by Sponsor:

00:53:11 Sen. Kary

HEARING ON SB 312

Opening Statement by Sponsor:

00:57:36 Sen. Mike Phillips (D), SD 31, opened the hearing on SB 312, Generally revise USB laws.

01:01:37 Sen. Tutvedt entered the hearing.

Proponents' Testimony: None

Opponents' Testimony:

01:03:59 Bill Mercer, Large Customer Group (LCG)
[EXHIBIT\(ens36a03\)](#)

01:09:08 Dave Galt, executive director, Montana Petroleum Association

Informational Testimony:

01:09:52 Ken Morrison, Energy Share
01:10:33 Steve Erb, senior performance auditor, Legislative Audit Division (LAD)
[EXHIBIT\(ens36a04\)](#)

01:11:04 Lee Baerlocher, bureau chief, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:11:55 Sen. Connell
01:12:36 Mr. Erb, LAD
01:13:02 Sen. Connell
01:13:28 Mr. Erb
01:14:27 Sen. Connell
01:14:58 Mr. Erb
01:15:27 Sen. Larsen
01:16:27 Sen. Phillips
01:17:11 Sen. Larsen
01:17:24 Sen. Phillips
01:17:39 Sen. Larsen
01:18:29 Mr. Erb
01:20:37 Sen. Larsen
01:21:05 Mr. Erb
01:21:56 Sen. McNally
01:22:54 Mr. Mercer, LCG
01:25:42 Sen. McNally
01:26:17 Mr. Mercer

01:27:37 Sen. Connell
 01:28:19 Mr. Baerlocher, DOR
 01:28:42 Sen. Connell
 01:28:53 Mr. Baerlocher
 01:29:14 Sen. Keane
 01:29:27 Mr. Baerlocher
 01:29:46 Sen. Keane
 01:29:52 Mr. Baerlocher
 01:30:08 Sen. Keane
 01:30:23 Mr. Baerlocher
 01:30:48 Sen. Keane
 01:31:01 Mr. Baerlocher
 01:31:36 Sen. Keane
 01:31:47 Mr. Baerlocher
 01:31:55 Sen. Larsen
 01:32:29 Sen. Phillips
 01:32:35 Sen. Larsen
 01:32:54 Sen. Phillips
 01:33:04 Sen. Keane
 01:33:20 Sen. Larsen
 01:33:24 Sen. Keane

Closing by Sponsor:

01:33:37 Sen. Phillips

HEARING ON SJ 12

Opening Statement by Sponsor:

01:37:21 Sen. Pat Connell (R), SD 43, opened the hearing on SJ 12, Study net metering laws.
 01:39:32 Chairman Webb turned the chair over to Vice Chair Ankney.
 01:39:35 Chairman Webb left the hearing.

Proponents' Testimony:

01:43:17 Doug Hardy, Montana Electric Cooperatives' Association
 01:43:33 Chairman Webb entered the hearing.
 01:44:03 John Fitzpatrick, Northwestern Energy
 01:45:10 Keith Allen, International Brotherhood of Electrical Workers
 01:45:39 Chris Cavazos, political director, Montana AFL-CIO
 01:45:59 Gary Forrester, Montana Dakota Utilities

Opponents' Testimony:

01:46:34 Kyla Maki, clean energy program director, Montana Environmental Information Center
 01:51:24 Ben Brouwer, policy director, Montana Renewable Energy Association (MREA)
 01:57:56 Jeff Fox, Montana policy manager, Renewable Northwest Project (RNP)
 02:00:39 Neal Ullman, program director, Montana Conservation Voters
 02:02:17 Jake Brown, program director, Montana Public Interest Research Group

Informational Testimony: None

Questions from Committee Members and Responses:

02:02:55 Sen. Keane
 02:03:18 Mr. Fox, RNP
 02:03:33 Sen. Larsen
 02:04:03 Sen. Connell
 02:05:59 Sen. McNally
 02:06:53 Sen. Connell
 02:08:46 Sen. McNally
 02:09:39 Sen. Connell
 02:11:48 Vice Chair Ankney
 02:13:02 Mr. Brouwer, MREA
 02:15:01 Vice Chair Ankney
 02:15:20 Mr. Fox
 02:15:40 Vice Chair Ankney

Closing by Sponsor:

02:16:05 Sen. Connell
 02:18:36 Vice Chair Ankney turned the chair back over to Chairman Webb.

EXECUTIVE ACTION ON SB 327

02:19:05 **Motion/Vote:** Sen. Ankney moved that **SB 327 DO PASS**. Motion carried 11-1 by roll call vote with Sen. Larsen voting no. Sen. Keenan and Sen. Windy Boy voted by proxy. Sen. Jones was excused.

EXECUTIVE ACTION ON SJ 12

02:22:19 **Motion:** Sen. Ankney moved that **SJ 12 DO PASS**.

Discussion:

02:22:35 Sen. Driscoll
 02:23:11 **Motion/Vote:** Sen. Driscoll moved that **SJ 12 BE AMENDED WITH A CONCEPTUAL AMENDMENT**. Motion carried 10-0 by voice vote. Sen. Jones, Sen. Keenan and Sen. Windy Boy were excused.

Discussion:

02:24:00 Sen. Ankney
02:24:16 Sen. Tutvedt
02:24:52 Sen. Larsen
02:26:22 Sen. Connell
02:28:05 Sen. Keane

02:28:25 **Motion/Vote:** Sen. Tutvedt moved that **SJ 12 BE AMENDED WITH A CONCEPTUAL AMENDMENT**. Motion carried 10-0 by voice vote. Sen. Jones, Sen. Keenan and Sen. Windy Boy were excused.

02:29:37 **Motion/Vote:** Sen. Ankney moved that **SJ 12 DO PASS AS AMENDED**. Motion carried 12-0 by voice vote. Sen. Keenan and Sen. Windy Boy voted by proxy. Sen. Jones was excused.

ADJOURNMENT

Adjournment: 5:32 PM

Barbara Pietuch, Secretary

bp

Additional Documents:

EXHIBIT([ens36aad.pdf](#))